

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3818

IN THE MATTER OF:

Served September 24, 1991

Application of WHEELCHAIR EXPRESS, )  
INC., for Temporary Authority -- )  
Irregular Route Operations )

Case No. AP-91-28

By application accepted for filing on September 20, 1991, Wheelchair Express, Inc. (Express or applicant), a Maryland corporation, seeks temporary authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

Express would begin operations using three vans equipped to transport both wheelchair passengers and ambulatory passengers. The vans are owned by applicant and are registered and inspected in Maryland. Two of these vehicles are intended for primary service, with the third to be held in reserve as a back-up vehicle.

Applicant's tariff shows one-way rates as follow: \$40 for one wheelchair passenger up to 10 miles, plus \$1.50 for each additional mile. An attendant provided by Express would be an extra \$10. Additional wheelchair passengers on the same trip would be \$25 each. Round-trip rates would be \$75 for one wheelchair passenger up to 20 miles, plus \$1.50 for each additional passenger. An attendant provided by Express would be an extra \$5. No rate is specified for additional wheelchair passengers on the same trip. Waiting time would be charged at \$10 for each 15 minutes, and a cancellation charge of \$20 would apply to cancellation less than one hour before scheduled pickup.

The application also includes a proposed account agreement between applicant and College Park Radiation Therapy Associates, which includes a rate structure different from the one proposed above for Express' general tariff.

The application also contains applicant's balance sheet as of July 15, 1991, and a projected operating statement for the first 12 months of proposed operations. Also included are supporting statements from (1) a physician with College Park Physician Associates, (2) the senior social worker with Providence Hospital, and (3) a general partner of College Park Radiation Therapy Associates.

Applicant also seeks a Certificate of Authority in Case No. AP-91-29. See Order No. 3819, served September 24, 1991.

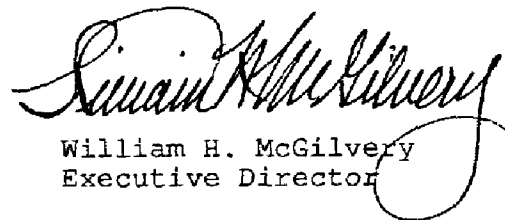
The standards for temporary authority are set forth in the Compact at Title II, Article XI, Section 13. The essential elements are (1) an immediate need for service, (2) no carrier available to

meet such need, and (3) fitness of the applicant. See Order No. 2864, served May 23, 1986; Order No. 2857, served May 12, 1986; and Order No. 1643, served January 24, 1977.

This order will provide notice of Express' application for temporary authority, and a brief period will be provided for the filing of protests, if any. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 13 and Regulation No. 54-04(a) at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Friday, October 4, 1991, and shall simultaneously serve a copy of such protest on applicant's attorney, Michael W. Beasley, Esq., 1101 - 17th Street, N.W., Suite 1004, Washington, DC 20036-4798.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director